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RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 273

Suppression, under the Plenary Powers, of the anonymous pamphlet known as the *Hildesheim List* published in about the year 1840 and containing descriptions of new nominal species of mammals and birds from Java

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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OPINION 273

SUPPRESSION, UNDER THE PLENARY POWERS, OF THE ANONYMOUS PAMPHLET KNOWN AS THE “HILDESHEIM LIST” PUBLISHED IN ABOUT THE YEAR 1840 AND CONTAINING DESCRIPTIONS OF NEW NOMINAL SPECIES OF MAMMALS AND BIRDS FROM JAVA

RULING :—(1) Under the Plenary Powers the anonymous pamphlet published at Hildesheim in about the year 1840 under the title *Verzeichniss einer aus Java übersandten sehr ansehnlichen Sammlung von Thieren aller Classen und einigen botanischen Gegenständen, welche bei dem Post-Spediteur und Senator Holzapfel in Stolzenau zum Verkauf ausstehen* and commonly known as the “Hildesheim List”, containing descriptions of two new nominal species of mammals and seventeen new nominal species of birds, is hereby suppressed for nomenclatorial purposes.

(2) The following specific names published in the *Hildesheim List* in combination with the generic names cited below in brackets (parentheses) are hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* as names possessing no status under either the Law of Priority or the Law of Homonymy and with the Name Nos. 24 to 42 :—(i) *nagelii* (*Gulo*) ; (ii) *javanicus* (*Sciurus*) ; (iii) *albogularis* (*Alcedo*) ; (iv) *amboinensis* (*Columba*) ; (v) *amoenus* (*Psittacus*) ; (vi) *atra* (*Tanagra*) ; (vii) *bisulcatus* (*Buceros*) ; (viii) *fasciatus* (*Centropus*) ; (ix) *flavirostris* (*Garrulus*) ; (x) *formosus* (*Bucco*) ; (xi) *leucopygus* (*Turdus*) ; (xii) *loricatus* (*Picus*) ; (xiii) *macularius* (*Bucco*) ; (xiv) *pectoralis* (*Turdus*) ; (xv) *pusillus* (*Carbo*) ; (xvi) *rufirostris* (*Trogon*) ; (xvii) *rufiventris* (*Turdus*) ; (xviii) *strigilatus* (*Lanius*) ; (xix) *viridis* (*Certhia*).

(3) The anonymous pamphlet published at Hildesheim in about the year 1840 under the title set out in (1) above is hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Work No. 13.

I.—THE STATEMENT OF THE CASE

On 6th October 1945 Dr. H. Engel (*Zoologisch Museum, Amsterdam, The Netherlands*) submitted to the International Commission on Zoological Nomenclature the following application for the suppression under its Plenary Powers of the names contained in an anonymous pamphlet (commonly known as the "Hildesheim List") published at Hildesheim in about the year 1840, of which a unique copy had recently come to light :—

On a unique publication containing descriptions of New Species of Mammals and of Birds by an anonymous author about 1840

By Dr. H. ENGEL
(*Zoological Museum, Amsterdam*)

In September 1945 we were asked by a bookseller to give information about a sale catalogue without date or author which he thought to be unique. Till now no reference to this booklet has been found anywhere. This example once belonged to the Provincial Library at Leeuwarden, from which it was sold in 1940 or 1941, because it was considered to be of no importance.

The title runs : *Verzeichnisz/einer/aus Java übersandten sehr ansehnlichen/Sammlung von Thieren aller Classen/und/einigen botanischen Gegenständen,/welche/bei dem Post-Spediteur und Senator Holzappel/in Stolzenau/zum Verkauf ausstehen./* Hildesheim,/ gedruckt in der Gerstenbergschen Buchdruckerei.

This booklet contains 20 pages of 160 x 197 mm., of which the first eleven are devoted to Mammals and Birds, arranged in catalogue form ; each page is divided into seven columns, with the following headings : No./St/(Latin name)/Malaiische Namen/Deutsche Namen/(two columns for the prices, the figures given being probably in Thalers and Groschen). The last three columns were all left blank in this copy. The Latin names are mostly without authors' names ; but some have a name added, while others are indicated as *nov. spec.* and are

followed by a short Latin diagnosis. The authors mentioned are Linné, Temminck, Lichtenstein, Raffles and Horsfield. Some of the names concerned were published in the publications of : Temminck 1811, 1822, 1825, 1826, 1839 ; Lichtenstein 1823 ; Horsfield 1821 ; Raffles 1822. This fixes the date of the catalogue as being subsequent to 1839. The fact that No. 54 runs : " 2 (specimens) *Picus psarodes* Lichtenst. (Malay :) Tjaladie Kundang ", might suggest that this name (which was never published elsewhere) was derived from some intended publication of Lichtenstein's and might thus point to Lichtenstein as the author of the catalogue, but this is no more than a very vague supposition ; the cities of Stolzenau and Hildesheim, both in Hannover, are rather far from Berlin ! The names may also have been given by the collector in India, as the Malayan names must almost certainly have been. We know the collector's name from No. 17, viz. one specimen of "*Gulo nagelii* nov. sp. Nigrofuscus, occipite, nucha, caudae apice et stria longitudinali supra caudam albis. Long $1\frac{1}{3}$ ". Zu Ehren des Sammlers und Absenders, Hr. Residenten Nagel in Java, so benannt. (Malay :) Sigürg".

According to C. A. Backer (*Verklarend Woordenboek van wetenschappelijke plantennamen van de in Nederland en Nederlandsch Indië in het wild groeiende en in tuinen en parken gekweekte varens en hoogere planten*) sub voce *nageli*, a certain official Nagel from Bandoeng accompanied Junghuhn in July 1837 on the mountain Goentoer (see also Junghuhn, Java, II p. 122). This must have been (Carel) Wilhelm August Nagel, who according to the *Almanak van Nederlandsch Indië voor 1837* (: 34 and 57) was "adsistent-resident" at Bandoeng and (p. 117) a member of the Bataviaasch Genootschap van Kunsten en Wetenschappen. There was another man named Nagel, namely Gerhardus Heinrich Nagel (*Nieuw Biographisch Woordenboek* 4 : kol. 1017), who accompanied Blume in 1824 on an expedition in the inland of Java, but he returned to Europe before 1828 (G. H. Nagel, *Schetsen uit mijn Javaansche portefeuille*, Amsterdam 1828). It is not likely that he was the collector, as our text mentioned Nagel not as a former resident, but as resident.

The new species of Mammals mentioned are :

No. 11. 3 specimens of *Sciurus javanicus* nov. spec. Pilis in dorso fusco-et nigro annulatis, ventre griseo, lateribus stria longitudinali ferruginea, auribus rotundatis parvis. (Malay :) Badjing.

No. 17. *Gulo nagelii* (vide supra).

The new species of Birds mentioned are :

No. 6. 1 specimen of *Buceros bisulcatus* nov. spec. Niger, violaceo-micans, cauda alba ; Rostro cornu plano bisulcato flavicante-albo.

No. 14. 1 specimen of *Carbo pusillus* nov. spec. Niger, dorsi pennis in cinereum vergentibus, marginibus viridi-nigris, ventre viridi-nigro, cauda cumeiformi. (Schwanz defect.). (Malay :) Pessing.

- No. 19. 3 specimens of *Falco* nov. spec. *niso* aff. (Malay :) Singa.
- No. 24. 3 specimens of *Psittacus amoenus* n. sp. Viridis, gula pectorisque parte superiori (maris) aurantiacis, uropygio et tectricibus caudae coccineis. Magnit. Fringillae domesticae. (Malay :) Serendet.
- No. 38. 1 specimen of *Columba* n. sp. *amboinensis* affinis. Altes M. (Malay :) Untjal.
- No. 44. 2 specimens of *Alcedo albogularis* n. sp. Capite nuchaque nigris viridiundulatis, dorso et pectore viridi-coeruleis, gula ventreque albis, alis et rostro nigris, collo utrinque macula ferruginea. Magn. et forma *A. Ispidae* (Malay :) Hurang.
- No. 55. 2 specimens of *Picus loricatus* n. sp. m. et f. Olivaceo-viridis, vertice, remigibus caudaque nigris, remigibus albo-maculatis, pennarum verticis apicibus apice convergentibus ; loris nigris albo-maculatis. (Malay :) Tjaladie Pritjoeng.
- No. 58. 4 specimens of *Cuculus, canoro* simillibus. An n. sp. (Malay :) Kadassie.
- No. 61. 1 specimen of *Centropus fasciatus* n. sp. Dorso ferrugineo nigro-fasciato ; cauda nigra ferrugineo-fasciata ; pectore sordide-albo ; ventre nigro-undulato.
- No. 67. 1 specimen of *Bucco formosus* n. sp. Viridis, vertice et macula angulorum rostri flavis ; macula supra nares gulaque coccineis ; stria per oculos ducta gulam coccineam cingente nigra. (Malay :) Kukruk laut.
- No. 68. 3 specimens of *Buco macularius* n. sp. Supra viridis, capite, collo pectoreque cinereo-fuscis albo-maculatis. (Malay :) Tuptop.
- No. 72. 1 specimen of *Garrulus flavirostris* n. sp. Coeruleo-niger, rostro flavo in dorso nigro. Magnit. Corvi monedulae. Zehen defect. (Malay :) Tjuing mungkal.
- No. 76. 2 specimens of *Lanius stringilatus* n. sp. Capite cinereo-nigro, remigibus nigro-cinereis albo-marginatis ; cauda cinereo-nigra apice albo ; dorso fusco, albo-stringilato ; subtus sordido-albus. (Malay :) Rea rea.
- No. 86. 4 specimens of *Turdus rufiventris* n. sp. Supra nigro-griscus, capite collo pectore ventreque rufis. (Malay :) Tiatjing kampung.
- No. 89. 5 specimens of *Turdus pectoralis* n. sp. Niger, macula pectoris et alararum marginis coccinea. (Malay :) Moradada.
- No. 96. 6 specimens of *Turdus leucopygus* n. sp. Niger, tectricibus caudae inferioribus alarumque fascia albis ; pennis capitis lanceolatis. (Malay :) Kerok.

No. 99. 3 specimens of *Trogon rufirostris* n. sp. Capite et pectore obscure-viridibus ; dorso aeneo-viridi ; gula ventrequae flavis itidem ac striis undulatis tectricum alarum.

No. 110. 2 specimens of *Muscicapa* n. sp. (Malay :) Muntjang.

No. 111. 3 specimens of *Muscicapa* n. sp. (Malay :) Nilla.

No. 112. 2 specimens of *Tanagra atra* n. sp. Tota atra, cauda elongata (Malay :) Suran Gunting.

No. 113. 1 specimen of *Muscicapa* n. sp.

No. 114. 3 specimens of *Tanagra* n. sp. (Malay :) Tjawat.

No. 115. 1 specimen of *Certhia viridis* n. sp. Viridis, ventre flavo-viridi, remigum latere interiori nigro. (Malay :) Doun.

No. 116. 2 specimens of *Certhia* n. sp. ? (Malay :) Djakdjok.

Next come five numbers of Birds nests.

The Insects, the enumeration of which begins on page 11, are not catalogued like the Mammals and Birds, one column contains the description of each sale-item, while two small columns are left blank for the prices. These items are very generally styled as may be seen from an example :

No. 1. Ein Kasten mit Coleopteren, einzelnen Orthopteren, 2 Crustaceen (Krebsen), einigen Hemipteren, 2 Scolopendern, 1 Asterias. Unter den Coleopteren sind : Lamellicornes, Cerambycini, Heteromera, Lucanides, Curculionides etc. Gegen 280 Stück.

Thus 24 items are enumerated. Next (p. 14) come the Lepidoptera in 27 items, followed by 4 items of *Variae*. On p. 16 six items of "Säugethier-Häute in Spiritus mit Schädeln zum Ausstopfen" are named. The Reptilia consist of 12 items, the Mollusca of 86 items, the Zoophyta of 11 items. These are all named with Latin names, without important additions. On p. 19—20 some dried plants and branches are enumerated (9 items).

It seems desirable from every point of view that the International Commission on Nomenclature should exclude this Catalogue from availability under the International Rules of Zoological Nomenclature.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Registration of the present application* : On receipt, the present application was given the Registered Number Z.N.(S.) 196.

3. *Issue of Public Notices* : On 20th November 1947 a notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers for the purpose of suppressing the *Hildesheim List* for nomenclatorial purposes was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the action proposed in this case.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

4. The present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) at the foregoing meeting and the discussion which then ensued (1950, *Bull. zool. Nomencl.* 4 : 487) :—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that Dr. Engel was to be congratulated on having taken such prompt action to bring this pamphlet to the attention of the Commission, thereby making it possible to secure its suppression under the Plenary Powers before confusion and instability was introduced into nomenclature by the adoption of the numerous new names which it contained. The proposal submitted by Dr. Engel had been advertised but, as was only to be expected, no specialist had come forward in opposition to the action proposed.

IN DISCUSSION the view was expressed that it was most fortunate that through Dr. Engel's action it would be possible to prevent any harm being done through the discovery of this pamphlet. It was a thousand pities that equally prompt action

could not have been taken to deal with two other unwanted discoveries (namely the discovery of Meigen's *Nouvelle Classification* (Order Diptera) and the "Erlangen List" (Order Hymenoptera)) before the introduction of the new names which they contained had had time to create chaos in the generic nomenclature of the two Orders concerned.

5. The following extract from the Official Record of the Proceedings of the International Commission sets out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 25) (1950, *Bull. zool. Nomencl.* 4 : 486—487) :—

THE COMMISSION agreed :—

- (1) to use their Plenary Powers to suppress for nomenclatorial purposes the anonymous and undated pamphlet bearing the title *Verzeichniss einer aus Java übersandten sehr ansehnlichen Sammlung von Thieren aller Classen und einigen botanischen Gegenständen, welche bei dem Post-Spediteur und Senator Holzappel in Stolzenau zum Verkauf ausstehen. Hildesheim* (the so-called "Hildesheim List"), believed to have been published in 1840 ;
- (2) placed on record that, in view of the decision specified in (1) above, any name, the first publication of which was in the "Hildesheim List" ranks for purposes of the Law of Priority (Article 25) and of the Law of Homonymy (Articles 34 and 35) as from the date subsequent to the "Hildesheim List" on which it was first published in conditions which satisfy the requirements of Article 25 and is to be attributed to the author by whom it was so published ; and that any such name which had never been subsequently published in conditions which satisfied the requirements of Article 25 possessed no status in zoological nomenclature ;
- (3) agreed to render an *Opinion* recording the decisions specified in (1) and (2) above.

6. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 115).

7. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

8. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

9. Under a decision taken by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 310, Conclusion 2(4)), the International Commission on Zoological Nomenclature, when suppressing a book for the purposes of zoological nomenclature under its Plenary Powers or when declaring any book to be unavailable for those purposes, is required to place on the appropriate *Official Index* any names first published in the work in question. By some inadvertence, there was no entry inserted in the Official Record of the Proceedings of the Commission in regard to the present case recording compliance with the foregoing requirement. This omission has been rectified in the Ruling given in the present *Opinion*. The decision recorded in Point (2) of the Official Record quoted in the immediately preceding paragraph follows automatically upon the addition to the *Official Index of Rejected and Invalid Specific Names in Zoology*, as names possessing no status under either the Law of Priority or the Law of Homonymy, of the new names published in the *Hildesheim List* ; it has therefore not been considered necessary expressly to include in the Ruling now given the explanation given in that Point.

10. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an "Official Index" to be styled the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 23—24). Since the foregoing decision applies to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion in the foregoing *Official Index* of the title of the anonymous pamphlet published at Hildesheim in about the year 1840 with the title cited in the Ruling given in the present *Opinion* and commonly known as the "Hildesheim List".

11. The following are the numbers allotted in the *Hildesheim List* to the nominal species there given the names which have been placed on the *Official Index* under the Ruling given in the present *Opinion* :—

- albogularis*, *Alcedo*, [anon.], [1840], *Hildesheim List* : no. 44
amboinensis, *Columba*, [anon.], [1840], *Hildesheim List* : no. 38
amoenus, *Psittacus*, [anon.], [1840], *Hildesheim List* : no. 24
atra, *Tanagra*, [anon.], [1840], *Hildesheim List* : no. 112
bisulcatus, *Buceros*, [anon.], [1840], *Hildesheim List* : no. 6
fasciatus, *Centropus*, [anon.], [1840], *Hildesheim List* : no. 61
flavirostris, *Garrulus*, [anon.], [1840], *Hildesheim List* : no. 72
formosus, *Bucco*, [anon.], [1840], *Hildesheim List* : no. 67
javanicus, *Sciurus*, [anon.], [1840], *Hildesheim List* : no. 11
leucopygus, *Turdus*, [anon.], [1840], *Hildesheim List* : no. 96
loricatus, *Picus*, [anon.], [1840], *Hildesheim List* : no. 55
macularius, *Bucco*, [anon.], [1840], *Hildesheim List* : no. 68
nagelii, *Gulo*, [anon.], [1840], *Hildesheim List* : no. 17
pectoralis, *Turdus*, [anon.], [1840], *Hildesheim List* : no. 89
pusillus, *Carbo*, [anon.], [1840], *Hildesheim List* : no. 14
rufirostris, *Trogon*, [anon.], [1840], *Hildesheim List* : no. 99
rufiventris, *Turdus*, [anon.], [1840], *Hildesheim List* : no. 86
strigilatus, *Lanius*, [anon.], [1840], *Hildesheim List* : no. 76
viridis, *Certhia*, [anon.], [1840], *Hildesheim List* : no. 115

12. At the time of the adoption of the Ruling given in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

13. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

14. The present *Opinion* shall be known as *Opinion Two Hundred and Seventy-Three (273)* of the International Commission on Zoological Nomenclature.

DONE in London, this Fifteenth day of January, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING